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ATTORNEY DOCKET NO. CABE.001.01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 25 2003

TECH CENTER 1000/2500
COPY

re application of: Johannes J. Geuze *et al.*

) Examiner: DeCloux, Amy

Serial No.: 09/011,167

) Art Unit: 1644

Filed: June 2, 2003

Title: CELL DERIVED ANTIGEN PRESENTING
VESICLES

) TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents in the above-identified application:

- ☐ Small entity status of this Application under 37 CFR 1.9 and 1.27 has been established by a Verified Declaration previously submitted.
- ☐ A Verified Declaration of Small Entity Status Under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ Preliminary Amendment.
- ☒ Marked-up Copy of the Claims.
- ☒ Clean Copy of the Claims.
- ☒ Replacement Pages 16-17.

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

July 10, 2003
(Date of Deposit)

(Signature)

Carrie Bucher
(Printed Name)

PATENT**ATTORNEY DOCKET NO. CABE.001.01US**

☐ Petition for Extension of Time (QUANTITY).

Also enclosed:

☒ Return postcard (postage prepaid).

☐ Terminal Disclaimer under 37 CFR 1.20(d).

The fees have been calculated as shown below:

<u>Claims</u>	<u>Before</u>	<u>After</u>	<u>Extra</u>	<u>Small Entity</u>	<u>Large Entity</u>
Total:	20	5	0	x \$9 = \$0.00	x \$18 = \$0.00
Indep:	4	4	0	x \$42 = \$0.00	x \$84 = \$0.00
Mult:	y	n		\$0.00	\$0.00

Total Additional Claims Fee: \$ 0.00

Extension of Time Fee	Small Entity	Large Entity
<input type="checkbox"/> One Month	\$ 55.00	\$ 110.00
<input type="checkbox"/> Two Months	\$205.00	\$ 410.00
<input type="checkbox"/> Three Months	\$465.00	\$ 930.00
<input type="checkbox"/> Four Months	\$725.00	\$1450.00
<input type="checkbox"/> Five Months	\$985.00	\$1970.00

Total Extension of Time Fee: \$ 0.00

Other fees (list individually):

Total Other Fees: \$ 0.00

Terminal Disclaimer / 37 CFR 1.20(d) \$ 0.00

TOTAL FEES: \$ 0.00

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- ☐ A check including the amount of the above-indicated TOTAL FEES is attached.
- ☐ Please charge Deposit Account No. 18-0020 in the amount of \$[FILL IN AMOUNT].
- ☒ No fee is required.
- ☒ Conditional Petition for Extension of Time: An extension of time is requested in the present and/or the above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any parent application processing fees under 37 CFR 1.17.
- ☒ A duplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated: July 10, 2003



Barbara Rae-Venter, Ph.D.
Reg. No. 32,750

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Monterey, CA 93942-1898
Phone: (831) 648-3090
Facsimile: (831) 242-0137

BRV/mnb



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ATTORNEY DOCKET NO. CABE.001.01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

SEP 25 2003

TECH CENTER 1600/2900

In re application of: Johannes J. Geuze *et al.*

Serial No.: 09/011,167

Filed: October 5, 1998

Title: CELL DERIVED ANTIGEN PRESENTING
VESICLES

) Examiner: Vandervegt, Francois P.

) Art Unit: 1644

) **REQUEST FOR WITHDRAWAL**
) **OF PREMATURE FINAL**
) **REJECTION**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the Examiner withdraw the finality of the Office Action mailed on August 13, 2003 because it is premature.

This application is a CPA of USSN 09/011,167. The Examiner indicated that reason for making the Office Action final was that the claims are drawn to the same invention claimed in the earlier application. However, Applicants filed a Preliminary Amendment on June 10, 2003 in which Claims 13-17 were amended to recite MHC Class II proteins; the claims previously had recited MHC Class I protein. A copy of the Preliminary Amendment is enclosed together with a

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September 18, 2003

(Date of Deposit)

(Signature)

Carrie Bucher

(Printed Name)

PATENT

ATTORNEY DOCKET NO. CABE.001.01US

copy of the return receipt postcard showing receipt of the preliminary amendment by the USPTO on July 15, 2003. Accordingly, the finality of the Official Action is premature and the Examiner is respectfully requested to withdraw that finality and issue a new Official Action relating to the subject matter now claimed.

Respectfully submitted,

Dated: September 16, 2003



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AF/1644



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 25 2003

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In re application of: Johannes J. Geuze *et al.*

Serial No.: 09/011,167

Filed: October 5, 1998

Title: CELL DERIVED ANTIGEN PRESENTING
VESICLES

) Examiner: Vandervegt, Francois P

) Art Unit: 1644

) TRANSMITTAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents in the above-identified application:

- ☒ Request for Withdrawal of Premature Finality.
- ☒ Copy of the Preliminary Amendment originally filed July 10, 2003
- ☒ Copy of return receipt postcard

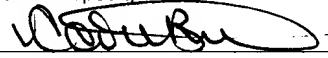
Also enclosed:

- ☒ Return postcard (postage prepaid).

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September 18, 2003
(Date of Deposit)


(Signature)

Carrie Bucher
(Printed Name)

PATENT

ATTORNEY DOCKET NO. CABE.001.01US

Respectfully submitted,

Dated: September 16, 2003



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The following has been received in the U.S. Patent Office on the date stamped hereon **SEP 25 2003**

- ☐ Patent Application, ___ pps.
specification, ___ pps.;
claims, ___ pps.;
abstract, ___ pps.; title page
- ☐ Drawings, ___ pps.
- ☒ Transmittal, 3 pps.; ☒ clean copy
- ☐ Application Data Sheet, ___ pps.
- ☒ Return receipt postcard
- ☒ Response / Amendment, 3 pps.;
claims: ☒ marked up, ☒ clean copy,
☒ replacement pages, 2 pps.
- ☐ Notice of Appeal
- ☐ Appeal Brief (3 copies), ___ pps.
- ☐ Other _____
- ☐ Executed / Unexecuted Declaration/POA
- ☐ Recordation Form Cover Sheet, ___ pps.
- ☐ 312 Amendment after Allowance
- ☐ Notice to File Missing Parts of App.
- ☐ Petition to File Extension of Time
- ☐ Status Inquiry
- ☐ Issue Fee Transmittal
- ☐ Maintenance Fee Transmittal, ___ pps.
- ☐ IDS Transmittal, Statement, PTO Form 1449, References _____
- ☐ Form PTO/SB/47, PTOL-85 (Part B)
- ☐ Assignment, ___ pps.
- ☐ Check No. _____ for \$ _____

PTO Box No.: n/a

Express Mail Label No.: _____

Serial No.: 09/011,167

Attorney Docket No.: CADE, 001.0105

Attorney/Secretary: BRV/mnb

Mailing Date: July 10, 2003